

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Shawn L. KELLY

Application Serial No.: 09/478,849

Filed: 6 January 2000

For: WIDE FIELD OF VIEW IMAGING SYSTEMAssistant Commissioner for Patents  
Washington, D.C. 20231

Group: 2872

Examiner: Thong NGUYEN

16 January 2001

PATENT  
TERMINAL DISCLAIMER  
APPROVED

FEB 15 2001

TECHNOLOGY CENTER 2800  
SPECIAL PROGRAM CENTERTERMINAL DISCLAIMER PURSUANT TO 37 C.F.R. §1.321(b) AND (c)  
TO OBTAIN A DOUBLE PATENTING REJECTIONIdentification of Owner of Above-Identified Application,  
And Extent of Interest

The undersigned hereby certifies that Shawn L. Kelly, an individual having an address of 8479 Pine Cove Drive, Commerce Township, MI 48382 is the owner of the entire right, title and interest in the above-identified reissue application, U.S. Patent Application Serial No. 09/478,849, by virtue of being the sole inventor of said application and by virtue of not having assigned said application to any other entity.

The undersigned is a Patent Agent duly appointed to represent Shawn L. Kelly, in regards to U. S. Patent Application Serial No. 09/478,849.

## Identification of Commonly-Owned Patent

The undersigned further certifies that Shawn L. Kelly, is the owner of the entire right, title, and interest in U.S. Patent No. 5,673,146 by virtue of being the sole inventor of said patent and by virtue of not having assigned said patent to any other entity.

## Disclaimer

Shawn L. Kelly, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on U. S. Patent Application Serial No. 09/478,849 which would extend beyond the expiration date of the full statutory term of U.S. Patent No. 5,673,146. Shawn L. Kelly further agrees that any patent so granted on U. S. Patent Application Serial No. 09/478,849 shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 5,673,146, this agreement to run with any patent granted on the above identified application and to be binding upon the grantor, its successors or assigns.

## Certificate of Mailing

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on 16 January 2001.

Name of Person Mailing: Kurt L. VanVoorhies Signature: Kurt L. VanVoorhies Date: 16 January 2001

In making the above disclaimer, Shawn L. Kelly does not disclaim any terminal part of any patent granted on U. S. Patent Application Serial No. 09/478,849 prior to the expiration date of the full statutory term of U.S. Patent No. 5,673,146 in the event that the latter expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321, has all claims canceled by a reexamination certificate, is reissued, or is otherwise terminated prior to expiration of its full statutory term, except for the separation of legal title stated above.

**Fee Pursuant To 37 C.F.R. §1.20(d)**

Attached is a check in the amount of \$55 in payment of the fee presently due in connection with this Disclaimer under 37 C.F.R. §1.20(d).

Respectfully Submitted,



Kurt L. VanVoorhies

Registration No. 38,643 ✓

Phone: 248-362-2800

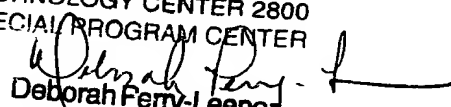
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SPECIAL PROGRAM CENTER



Deborah Ferry-Leeper

Paralegal Specialist  
Technology Center 2800

WIF

# INFORMAL TERMINAL DISCLAIMER MEMO

DATE: 15 Feb 01

SERIAL NO: 09/478,849

TO: Ex Nguyen, T. Q.

ART UNIT: 2872

FROM: Deborah Perry-Leeper  
Paralegal Specialist  
Office of the Special  
Programs Examiner  
Group 2800

TD FILED: 22 JAN 01

☐ Rule 60 Continuation  
☐ FWC  
☐ CIP

\_\_\_\_\_  
Examiner Initials/date

Instructions: The Terminal Disclaimer accompanying this application has been reviewed and the results identified below. Please use the appropriate Form Paragraph(s) to notify the applicant of the PTO decision regarding the "TD."

☒ - The TD is Accepted and has been recorded (see 14.23).

☐ - **TECHNICAL SUPPORT**: The TD fee of \$ \_\_\_\_\_ needs to be charged to Deposit Account: \_\_\_\_\_

☐ - The TD is Defective and has not been accepted for the following reason(s):

☐ - The recording fee of \$ \_\_\_\_\_ has not been paid/applied and [nor does] there is no [ appear to be] general fee authorization to charge the deposit account (see MPEP 14.25);

☐ - It lacks the enforceable only during the common ownership clause (Rule 37 CFR 1.321(c)) (See MPEP 14.27, 14.27.1);

☐ - It is directed to a particular claim or claims and not a terminal portion of the term of the entire patent to be granted (see MPEP 14.26, 14.26.2, 1490);

☐ - It is not signed. (MPEP 14.26, 14.26.3);

☐ - The serial no. of the application (or the **patent no.**) which forms the basis for the double patenting rejection is missing or incorrect (see MPEP 14.32);

☐ - The serial no. of this pending application (or the number of the patent in reexam. and/or reissue cases ) being disclaimed is missing or incorrect (see MPEP 14.26, 14.26.4 or 14.26.5);

☐ - The period disclaimed is incorrect or not specified (see MPEP 14.27, 14.27.2 or 14.27.3); and

☐ - This pending application and the patented (pending) application (which forms the basis of the double patenting rejection) are not commonly owned.

## Terminal Disclaimers Submitted/Signed by the Assignee

☐ - No 3.73(b) statement was provided.

☐ - 3.73(b) statement is defective because:

☐ - The person who signed the TD failed to state his/her capacity to sign for the business entity (see MPEP 14.28);

☐ - The person who signed the TD is not recognized as an Officer of the Assignee (MPEP 14.29);

☐ - There is insufficient evidence of the chain of title from the inventor to the assignee -- no reel and frame number specified as to where such evidence is recorded in the PTO (37 CFR 3.73(b)); and

☐ - There is no statement identifying that the evidentiary document(s) has been reviewed and to the best of the assignee's knowledge and belief title is in the name of the assignee seeking to take action (1140 OG 72).

☐ - A revised TD can be filed to overcome the above objections - no additional T.D. fee is required.

**DO NOT PROVIDE THIS MEMO TO APPLICANT,  
MUST BE RETURNED TO SPRE UNIT**